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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/610,107	07/05/2000	Keiichi Koshiba	P19702.P03	4696
7055 7590 01/15/2008 GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			EXAMINER SHANG, ANNAN Q	
			ART UNIT 2623	PAPER NUMBER
			NOTIFICATION DATE 01/15/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

09/610,107

Applicant(s)

KOSHIBA, KEIICHI

Examiner

Annan Q. Shang

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 50-85 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 50-85 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/22/07 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 50-85 are rejected under 35 U.S.C. 102(e) as being anticipated by **Ferris et al (WO 99/04568)**.

As to claim 50, note the **Ferris** reference figures 1-4, discloses a communication system and method and further discloses a data management method, comprising:

Receiving, at an information manager (fig.3, Central Processing Station/Broadcasters 'CPS/BC" 401-406/420) from a first communications device (TV-405/Handset 417) associated with an information recipient, and independently of a second communication device (PC-419) distinct from the first communications device, an information recipient identification that identifies the information recipient and content identification particular to and distinctly identifying content selected by the information recipient (figs.1-4, page 3, line 10-page 4, line 9, page 5, line 18-page 9, line 1+, page 13, line 1+, page 15, lines 5-12 and page 23, line 16-page 24, line 1+), the content being provided to the information recipient by a unidirectional communication (via Content T/X 404) from an information provider (CPS/BC 401-406/420), the content identification being stored in a database (Database 407/408/410/411) in association with the information recipient identification when the information manager receives the content identification and information recipient identification, and the content identification being linked in the database to reference data associated with the content selected by the information recipient (page 3, line 10-page 4, line 9, page 5, line 18-page 9, line 1+, page 13, line 1+, page 15, lines 5-12 and page 23, line 16-page 24, line 1+); and

Permitting access to the information manager from the second communications device (PC-419) independently distinct from the first communications device, where the database enables access to the reference data linked to the content identification from the second communications device over a path different from a path over which the information manager receives the information receipt identification and content

identification from the first communication device (page 15, lines 5-12 and page 23, line 16-page 24, line 1+)

As to claim 51, Ferris further discloses where the content is received at a content receiving device from the information provider, wherein the first communications device receives a signal from the content receiving device when the information recipient selects content, and wherein the first communications device forwards the information recipient identification and the content identification to the information manager based on the signal received from the content receiving device (page 3, line 10-page 4, line 9, page 5, line 18-page 9, line 1+, page 13, line 1+, page 15, lines 5-12 and page 23, line 16-page 24, line 1+).

As to claim 52, Ferris further discloses where the content is received at a content receiving device from the information provider, where the first communications device receives a signal from a remote controller when the information recipient selects content, and wherein the first communications device forwards the information recipient identification and the content identification to the information manager based on the signal received from the remote controller (page 5, line 18-page 9, line 1+, page 13, line 1+, page 15, lines 5-12 and page 23, line 16-page 24, line 1+), note that the handset unit is a remote controller for selecting items on TV and also a telephone unit.

As to claim 53, Ferris further discloses where the content is received at the first communications device from the information provider, where the first communications device receives a signal from a remote controller when the information recipient selects content, and wherein the first communications device forwards the information recipient

identification and the content identification to the information manager based on the signal received from the remote controller (page 5, line 18-page 9, line 1+, page 13, line 1+, page 15, lines 5-12 and page 23, line 16-page 24, line 1+).

As to claim 54, Ferris further discloses where the information recipient identification and the content identification are received from the first communications device based on a signal received from a remote controller generated when the information recipient selects content, and wherein the remote controller comprises a plurality of information designating buttons for separate individuals, each information designating button corresponding to a different information recipient identification (page 10, line 22-page 13, line 9).

As to claim 55, Ferris further discloses where the content is received by and presented to the information recipient using a content receiving device, and wherein a portable controller is used to select the selected content (figs. 1-4, page 5, line 18-page 9, line 1+, page 13, line 1+, page 15, lines 5-12 and page 23, line 16-page 24, line 1+).

As to claim 56, Ferris further discloses where the information recipient identification comprises one of a personal identification that uniquely identifies an individual information recipient, and a group identification that identifies a group of associated individual information recipients (page 5, line 18-page 9, line 1+, page 13, line 1+, page 15, lines 5-12 and page 23, line 16-page 24, line 1+).

As to claim 57, Ferris further discloses where the content identification comprises at least one of a time when the information recipient selects the selected content, and a

channel by which the information recipient receives the selected content (page 16, line 3-page 22, line 1+).

As to claim 58, Ferris further discloses where the content identification comprises codes, which identify the selected content, the codes being applied to the content prior to the content being provided to the information recipient (page 16, line 3-page 22, line 1+).

As to claim 59, Ferris further discloses where the reference data comprises at least one of detailed information, which describes the selected content and detailed information, which describes a subject of selected content (page 16, line 3-page 22, line 1+).

As to claim 60, Ferris further discloses where the reference data comprises at least one of date indicating information which indicates a date when the selected content is selected, a program indicating information which indicates an identity of the selected content as a media program, a program genre indicating information which indicates a genre of the selected content, a region indicating information which indicates a region in which the selected content is selected, and a sponsor indicating information which identifies a sponsor of the selected content (page 10, line 22-page 13, line 9 and page 16, line 3-page 22, line 1+).

As to claim 61, Ferris further discloses where the reference data comprises at least one of date indicating information, program indicating information, program genre indicating information, region indicating information, and sponsor indicating information, wherein at least one of the date indicating information, the program indicating

information, the program genre indicating information, the region indicating information, and the sponsor indicating information is retrieved by the second communications device as at least one retrieval key using the information manager, and wherein the at least one retrieved retrieval key is displayed on the second communications device in order based on frequency of usage (page 10, line 22-page 13, line 9 and page 16, line 3-page 22, line 1+).

As to claim 62, Ferris further discloses where the content comprises at least one of audio information and video information (page 10, line 22-page 13, line 9)

As to claim 63, Ferris further discloses where the content comprises information included in printed material (page 10, line 22-page 13, line 9)

As to claim 64, Ferris further discloses where the content comprises at least one of broadcast information, aired information, and information disclosed at an event (page 10, line 22-page 13, line 9).

As to claim 65, Ferris further discloses storing in the database, by the information manager, the information recipient identification and the content identification (page 10, line 22-page 13, line 9).

As to claim 66, Ferris further discloses where the information recipient identification and the content identification are stored in the database by an apparatus external to the information manager (page 10, line 22-page 13, line 9 and page 16, line 3-page 22, line 1+).

As to claim 67, Ferris further discloses storing in the database, by the information manager the reference data (page 10, line 22-page 13, line 9 and page 16, line 3-page 22, line 1+).

As to claim 68, Ferris further discloses where the reference data is stored in the database by an apparatus external to the information manager (page 10, line 22-page 13, line 9 and page 16, line 3-page 22, line 1+).

As to claim 69, Ferris further discloses where the reference data is added to the content prior to the content being selected by the information recipient (page 10, line 22-page 13, line 9 and page 16, line 3-page 22, line 1+)

As to claim 70, Ferris further discloses where the information manager calls at least one of the content and the reference data upon receiving the information recipient identification and the content identification, the called at least one of the content and the reference data being stored in the database in association with the information recipient identification (page 10, line 22-page 13, line 9 and page 16, line 3-page 22, line 1+).

As to claim 71, Ferris further discloses receiving the selected content at the information manager; and storing the selected content in the database by the information manager (page 10, line 22-page 13, line 9 and page 16, line 3-page 22, line 1+).

As to claim 72, Ferris further discloses where receiving the selected content at the information manager, where the selected content is stored in the database by an apparatus external to the information manager (page 10, line 22-page 13, line 9 and page 16, line 3-page 22, line 1+).

As to claim 73, Ferris further discloses where the information recipient receives the content using at least one of a set top box and a television receiver (page 10, line 22-page 13, line 9 and page 16, line 3-page 22, line 1+).

As to claim 74, Ferris further discloses where the content recipient identification comprises one of a code particular to a content receiving device, a code particular to a selected content identification transmission device, and a code particular to the content recipient who selects the content (page 10, line 22-page 13, line 9 and page 16, line 3-page 22, line 1+).

As to claim 75, the claimed "An information manager that receives, from a first communications device associated with an information recipient..." is composed of the same structural elements that were discussed with respect to the rejection of claim 50.

As to claim 76, Ferris further discloses a read-out device configured to read out the reference data stored in the database at the request of the second communications device; and a reference data transmitter that transmits the reference data to the second communications device at the request of the second communications device (page 10, line 22-page 13, line 9 and page 16, line 3-page 22, line 1+).

As to claim 77, Ferris further discloses a read-out device configured to read out at least one of the content identification and the reference data stored in the database at the request of the second communications device; and a data transmitter that transmits at least one of the content identification and the reference data linked to the content identification to the second communications device at the request of the second

communications device (page 10, line 22-page 13, line 9 and page 16, line 3-page 22, line 1+).

As to claim 78, Ferris further discloses where a mark added to the content indicates that the reference data has been added to the content (page 10, line 22-page 13, line 9 and page 16, line 3-page 22, line 1+).

As to claim 79, Ferris further discloses where the information recipient receives the content at a set top box, the set top box comprising: a content receiver; a designation signal receiver that receives signals for selecting content from a remote controller; and a data sender that sends content identification for selected content to the information manager via the first communications device (page 10, line 22-page 13, line 9 and page 16, line 3-page 22, line 1+).

As to claim 80, Ferris further discloses where the first communications device comprises a set top box used by the information recipient to receive the content, the set top box comprising: a content receiver; a designation signal receiver that receives signals for selecting content from a remote controller; and a data sender that sends content identification for selected content to the information manager (page 10, line 22-page 13, line 9 and page 16, line 3-page 22, line 1+).

As to claim 81, Ferris further discloses where the information recipient receives the content at a television receiver, the television receiver comprising: a content receiver; a display device that displays the received content; a designation signal receiver that receives signals for selecting content from a remote controller; and a data sender that sends content identification for selected content to the information manager

via the first communications device (page 10, line 22-page 13, line 9 and page 16, line 3-page 22, line 1+).

As to claim 82, Ferris further discloses where the first communications device comprises a television receiver used by the information recipient to receive the content, the television receiver comprising: a content receiver; a display device that displays the received content; a designation signal receiver that receives signals for selecting content from a remote controller; and a data sender that sends content identification for selected content to the information manager (page 10, line 22-page 13, line 9 and page 16, line 3-page 22, line 1+).

As to claim 83, Ferris further discloses where the second communications device comprises one of a navigation terminal and a PHS, and wherein a region indicator is compared with current position information resident in one of the navigation terminal and the PHS, and, when the region indicator and the current position information match a similarity threshold, at least one of the selected content and the reference data is displayed on the second communications device (page 10, line 22-page 13, line 9 and page 16, line 3-page 22, line 1+).

As to claim 84, the claimed "A data management method, comprising... is composed of the same structural elements that were discussed with respect to the rejection of claim 50.

As to claim 85, the claimed "A data management system, comprising... is composed of the same structural elements that were discussed with respect to the rejection of claim 50.

Response to Arguments

4. Applicant's arguments with respect to claims 50-85 have been considered but are moot in view of the new ground(s) of rejection. The amendment to the claims necessitated the new ground(s) of rejection discussed above. This office action is non-final.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ferris et al (2006/0288374) disclose communication system and method.

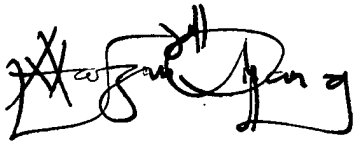
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

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A handwritten signature in black ink, appearing to read 'Annan Q. Shang', with a stylized flourish at the end.

Annan Q. Shang